



North America Europe Asia

**PEARSON WARSHAW, LLP**

555 MONTGOMERY ST., SUITE 1205  
SAN FRANCISCO, CA 94111  
(818) 788-8300  
WWW.PWFIRM.COM

Hon. Brian M. Cogan  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East, Brooklyn, NY 11201

October 27, 2023

**Re: *NASL v. USSF and MLS*, No. 1:17-cv-05495**

Dear Judge Cogan:

I am writing on behalf of Plaintiff North American Soccer League LLC (“NASL”) to respectfully request a status conference to set a trial date in the above-referenced case. As the Court knows, trial had been set to begin on October 16, 2023, but was postponed due to Court conflicts that developed and the pendency of the parties’ summary judgment and *Daubert* motions. At a status conference on August 18th, the Court proposed several potential trial dates in 2024. Unfortunately, each of those dates presented schedule conflicts for at least one of the parties. *See* ECF No. 385.

Given the difficulty of scheduling a three-week trial for three parties and many witnesses, and the likelihood that further schedule conflicts will develop as time passes, NASL believes it would be most efficient to set a trial date for next year as soon as practicable—either on a new date or one of the previously proposed dates with a slight change.

In that regard, NASL notes that April 22nd had not been selected by the parties because Passover will span from April 22nd through April 29th. But NASL would be prepared to begin trial immediately thereafter, with jury selection occurring on either the 29th or the 30th, if that timing would be acceptable for the Court. NASL believes trial could be completed within three weeks.

Alternatively, if other potential trial dates are available, NASL would make all efforts possible to make one of those dates work, so that this six-year-old litigation finally can be brought to a resolution.

Respectfully submitted,

By: s/Jeffrey L. Kessler  
Jeffrey L. Kessler

cc: All counsel of record (via ECF)